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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/385,315	08/30/1999	WILLIAM M. PARROTT	008193-20002	8973

22249 7590 09/18/2002

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EXAMINER	
HUNT, ERIC T	
ART UNIT	**PAPER NUMBER**
2152	11

DATE MAILED: 09/18/2002

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No. 09/385,315	Applicant(s) PARROTT, WILLIAM M.	
	Examiner Eric T. Hunt	Art Unit 2152	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *05 June 2002* .

2a)☒ This action is **FINAL**. 2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-21* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-21* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

11)☐ The proposed drawing correction filed on _____ is: a)☐ approved b)☐ disapproved by the Examiner.

If approved, corrected drawings are required in reply to this Office action.

12)☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

13)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____ .

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

14)☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).

a) ☐ The translation of the foreign language provisional application has been received.

15)☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

1) ☐ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____ .
4) ☐ Interview Summary (PTO-413) Paper No(s). _____ .
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: .

DETAILED ACTION

1. This office action is responsive to the amendment of application 09/385,315 filed on 6/5/2002. Claims 1-21 are presented for further examination.

Claim Rejections - 35 USC § 102

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless –
>
> (a) the invention was known or used by others in this country, or patented or described in a printed publication in this or a foreign country, before the invention thereof by the applicant for a patent.

3. Claims 1-2, 4-11, 13-14, 16, and 17 are rejected under 35 U.S.C. 102(a) as being anticipated by Kobayashi UK Patent Application 234920.

4. Regarding claim 1, Kobayashi teaches an adapter (option apparatus page 1, lines 4-7 and page 2 line1) for connecting an infrared data port (infrared type connection apparatus 1, see figure 2a & figure 5b) to a radio frequency data system (page 35, line 23-27 & page 36, line 1-5 portable phone antenna and base station), comprising:

an infrared transceiver (Infrared Transmitter/Receiver circuit page 14, lines 12-15) for sending and receiving information to and from the infrared data port (page 35, lines 23-27);

a radio frequency transceiver (Radio Transmitter/Receiver circuit page 12, lines 15-20) for sending and receiving information to and from the radio frequency data system (36, lines 1-4); and

a processor (see control circuit page 13, line 5-6 and page 35, lines 7-9) in communication with the infrared transceiver and the radio frequency transceiver (page 15, lines 18-25) for converting information received from the infrared transceiver to a radio frequency

format (page 9, lines 8-11) for transfer to the radio frequency data system and for converting information received from the radio frequency transceiver to an infrared format (page 9, lines 8-13) for transfer to the infrared data port.

5. Regarding claim 2, Kobayashi teaches the invention as claimed as noted above. Kobayashi further teaches comprising a buffer (see memory circuit page 13 line 15) for temporary information storage.

6. Regarding claim 4, Kobayashi teaches the invention as claimed as noted above. Kobayashi further teaches wherein the infrared transceiver includes a driver circuit (Transceiver/Receiver circuit page 14, lines 12-15) for sending information to the infrared data port.

7. Regarding claim 5, Kobayashi teaches the invention as claimed as noted above. Kobayashi further teaches wherein the infrared transceiver includes a receiving circuit (Transceiver/Receiver circuit page 12, lines 15-20) for receiving information from the infrared data port

8. Regarding claim 6, Kobayashi teaches the invention as claimed as noted above. Kobayashi further teaches comprising a housing (page 22, lines 14-16 & see option apparatus for portable telephone Figure 5b).

9. Regarding claim 7, Kobayashi teaches the invention as claimed as noted above. Kobayashi further teaches a system for wirelessly connecting a computing device (see Figure 9 portable type computer) to a network (see page 35 lines 1-13 base station, portable telephone, and portable computer comprise a network), comprising:

a computing device;

an infrared data port connected to the computing device (figure 9 infrared type connection apparatus 31), the infrared port configured to send and receive information to a radio frequency data system (page 35, lines 13-15), the radio frequency data system (page 35, lines 1-3) in communication with the network and configured to send and receive information (page 35, lines 15-17 & page 36 lines 4-8); and an adapter configured to transfer information between the infrared data port and the radio frequency data system (Figure 9 option apparatus for portable telephone 1), the adapter including:

an infrared transceiver for sending and receiving information to and from the infrared data port (page 35, lines 23-27);

a radio frequency transceiver for sending and receiving information to and from the radio frequency data system page (36, lines 1-4); and

a microprocessor (see figure 3 control circuit CPU 120) in communication with the infrared transceiver and the radio frequency transceiver (figure 9 radio transmitter/receiver 11 and infrared transmitter/receiver 163) for converting information received from the infrared transceiver to a radio frequency format (page 9, lines 8-11) for transfer to the radio frequency data system and for converting information received from the radio frequency transceiver to an infrared format (page 9, lines 8-13) for transfer to the infrared data port (page 13, lines 7-13).

10. Regarding claim 8, Kobayashi teaches the invention as claimed as noted above. Kobayashi further teaches, wherein the computing device is a portable computer (see figure 9 portable type computer).

11. Regarding claim 9 Kobayashi teaches the invention as claimed as noted above. Kobayashi further teaches, wherein the adapter physically connects to the computing device (page 2, lines 21-23).

12. Regarding claim 10, Kobayashi teaches the invention as claimed as noted above. Kobayashi further teaches, wherein the adapter is a stand-alone unit (semi-fixedly inserted page 22, lines 14-16 & see option apparatus for portable telephone Figure 5b) that communicates with the computing device (see figure 4 portable telephone comprises control circuit 22 w/CPU 120) over an infrared communication link (see figure 5b infrared type connection apparatus 29 & 16).

13. Regarding claim 11, Kobayashi teaches the invention as claimed as noted above. Kobayashi further teaches, wherein the adapter further comprises a buffer (see memory circuit page 13, line 15) providing temporary information storage.

14. Regarding claim 13, Kobayashi teaches the invention as claimed as noted above. Kobayashi further teaches, wherein the infrared transceiver includes a driver circuit for sending information to the infrared data port (page 14, lines 12-15).

15. Regarding claim 14, Kobayashi teaches the invention as claimed as noted above. Kobayashi further teaches, wherein the infrared transceiver includes a receiving circuit for receiving information from the infrared data port (page 12, lines 15-20).

16. Regarding claim 16, Kobayashi teaches the invention as claimed. Kobayashi further teaches, a method for wirelessly connecting a computing device to a network (see Figure 9 portable type computer & see page 35 lines 1-13 base station, portable telephone, and portable computer comprise a network), comprising:

receiving information over an infrared communication link from a remote computing device (page 35, lines 18-23);

converting the information from an infrared format to a radio frequency format (page 36, lines 1-4); and

communicating the information to the network over a radio frequency link (page 36, lines 4-5).

17. Regarding claim 17, Kobayashi teaches the invention substantially as claimed as noted above; Kobayashi further teaches receiving information over a radio frequency communication link from the network (see page 35 lines 1-13 base station, portable telephone, and portable computer comprise a network);

Claim Rejections - 35 USC § 103

18. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

19. Claims 15, 3, and 12 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kobayashi UK Patent Application 234920.

20. Regarding claim 15, Kobayashi teaches the invention substantially as claimed as noted above. Kobayashi does not teach a plurality of computing devices having infrared data ports,

a plurality of infrared transceivers, and

processing means in communication with the plurality of infrared transceivers and the radio frequency transceiver for converting information received from the plurality of infrared

transceivers to a radio frequency format for transfer to the radio frequency data system and for converting information received from the radio frequency transceiver to an infrared format for transfer to at least one of the infrared data ports. It would have been obvious to one of ordinary skill in the art at the time the invention was made to use a plurality of computing devices having infrared data ports, a plurality of infrared transceivers, and a processing means in communication with said plurality of infrared transceivers because the optimization of proportions in a prior art device is a design consideration within the skill of the art. In re Reese, 290 F.2d 839, 129 USPQ 402 (CCPA 1961).

21. Regarding claim 3, Kobayashi teaches the invention as claimed as noted above. Kobayashi does not explicitly teach, the adapter further comprising a power supply in communication with the processor. Kobayashi teaches the adapter (option apparatus) for the telephone is electrically connected to the portable telephone (page 2, lines 21-23). Therefore it would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the teachings of Kobayshi to include a power supply because in order for the adapter to be electrically connected a power supply must be present.

22. Regarding claim 12, Kobayashi teaches the invention as claimed as noted above; however Kobayashi does not explicitly teach, the adapter further comprises a power supply in communication with the microprocessor. Kobayashi teaches the adapter (option apparatus) for the telephone is electrically connected to the portable telephone (page 2, lines 21-23).

23. Regarding claim 18, Kobayashi teaches the invention as claimed as noted above. Kobayashi further teaches, wherein the radio frequency format conforms to Bluetooth protocol

[page 36, line 1-5]. The Examiner takes OFFICIAL NOTICE that the Bluetooth protocol was a well known at the time the invention was made.

24. Claims 19-20 contain similar limitations to the method claimed in claim 18, therefore claims 19-20 are rejected under the same rationale.

25. Regarding claim 21, Kobayashi teaches the invention as claimed as noted above. Kobayashi further teaches, wherein the adapter further comprises a buffer to provide temporary information storage **[memory circuit page 13 line 15].**

Response to Arguments

26. Applicant's arguments filed 06/05/2002 have been fully considered but they are not persuasive.In the remarks, applicant argued in substance that:

(A) In contrast to Kobayshi, conversion from IR to RF, and RF to IR is performed in a processor (control circuit of Kobayashi), rather than in the tranceivers.

As to argument (A) Koboyashi addresses the conversion from IR to RF and RF to IR **[page 9, lines 8-13].** Kobayashi further teaches a control circuit comprising a processor (CPU) **[figure 3, control circuit 12].** This processor of the control circuit is shown to process signals between transceivers **[page 13, lines 8-11]** and convert signals into IR **[page 35, lines 7-9].**

(B) Koboyashi does note recite each and every element of the applicant's invention as recited by the claims.

As to argument (B), the applicant remarks are vague with respect to which additional elements require a response.

(C) With respect to claim 15, it also requires that a processing means as opposed to transceivers, convert IR data to RF data, and vice versa.

As to argument (C) the language of the remarks is interpreted as a contradiction to argument (A), that the conversion from IR to RF and vice versa is performed by the processor as opposed to the transceivers. Therefore the Examiner maintains the rejections with respect to applicants arguments (A) & (C).

(D) Kobayashi does not teach or suggest a multiple port environment for transmitting data to and receiving data from multiple transceivers.

As to argument (D), It would have been obvious at the time the invention was made to use a plurality of computing devices having infrared data ports, a plurality of infrared transceivers, and a processing means in communication with said plurality of infrared transceivers because the optimization of proportions in a prior art device is a design consideration within the skill of the art. Koboyashi further teaches when such infrared type connection apparatuses having united specification are provided with the respective terminal apparatuses, the various sorts of portable terminal units may be connected to the various sorts of option apparatuses for these portable terminal units **[page 37, lines 8-12].**

27. Applicant's arguments filed on 6/5/2002 have been fully considered but they are not deemed persuasive.

Conclusion

28. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after

the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Eric T. Hunt whose telephone number is 703-305-4868. The examiner can normally be reached on 7am-4pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Mark Rinehart can be reached on 703-305-4815. The fax phone numbers for the organization where this application or proceeding is assigned are 703-746-7239 for regular communications and 703-746-7238 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-305-3900.

E.H.
September 9, 2002

LE HIEN LUU
PRIMARY EXAMINER